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Commissioner for Patents
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Steven P. Shurtz (Reg. No. 31,424)

Name of applicant, assignee or
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/Steven P. Shurtz/

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December 20, 2004

Date of Signature

AF 4
IRW

Case No. 1391/1561

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert J. Yatka et al.

Serial No.: 10/712,114

Examiner: Arthur L. Corbin

Filed: November 13, 2003

Group Art Unit: 1761

For: METHOD OF
CONTROLLING
RELEASE OF N-
SUBSTITUTED
DERIVATIVES OF
ASPARTAME IN
CHEWING GUM AND
GUM PRODUCED
THEREBY

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

12/27/2004 YPOLITE1 00000132 10712114

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Applicants hereby appeal to the Board of Appeals from the decision dated August 19, 2004 of the Examiner finally rejecting Claims 6, 11, 24-27 and 30-31.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on _____ for _____ month(s).
2. ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$500.00 Other than a Small Entity
☒ Enclosed
☐ Not required (Fee paid in prior appeal)
☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 12/20/04

/Steven P. Shurtz/
Steven P. Shurtz
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Attorney for Applicants

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